

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION**

**FILED**

**MAR 22 2018**

Clerk, U.S. District Court  
District Of Montana  
Helena

ST. PETER'S HOSPITAL and  
MOUNTAIN STATES  
HEALTHCARE RECIPROCAL RISK  
RETENTION GROUP and  
COLUMBIA CASUALTY  
COMPANY,

Plaintiffs,

vs.

LEXINGTON INSURANCE  
COMPANY,

Defendant.

No. CV 16-91-H-SEH

**ORDER**

Pending before the Court is Plaintiffs' Unopposed Motion In Limine Re Damages.<sup>1</sup> On March 14, 2018, the Court ordered that this phase of litigation be limited to "issues related to the duty to defend contained in Count I of Plaintiffs' Complaint."<sup>2</sup>

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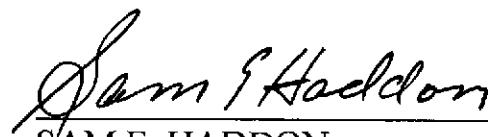
<sup>1</sup> Doc. 79

<sup>2</sup> Doc. 66 at 1.

ORDERED:

During the duty to defend phase of litigation, the parties are precluded from introducing any comment, argument, testimony, or evidence concerning damages in the Underlying Suit, *Fisher v. St. Peter's Hospital, et al*, ADV 2014-722, First Judicial District, Lewis & Clark County, Montana, or this suit.

DATED this 23<sup>rd</sup> day of March, 2018.

  
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SAM E. HADDON  
United States District Judge